

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE AMAZON.COM, INC. EBOOK
ANTITRUST LITIGATION

Case Number 1:21-cv-00351-GHW-DCF

NOTICE OF MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Amazon.com, Inc. (“Amazon”), respectfully moves to dismiss the claims against it in the Consolidated Amended Complaint. In support, Amazon submits a Memorandum of Law, which is being filed contemporaneously with this motion. According to the schedule set by the Court, the response to this motion must be filed no later than 45 days following the service of this motion, and any reply in support of the motion must be filed no later than 30 days following the service of the relevant opposition. Amazon requests oral argument in connection with its Motion to Dismiss.

Dated: September 17, 2021

Respectfully submitted,

/s/ John E. Schmidtlein

John E. Schmidtlein (*Pro Hac Vice*)
Jonathan B. Pitt (S.D.N.Y. Bar No. jp0621)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss has been filed and served upon counsel of record via ECF electronic notification.

Dated: September 17, 2021

Respectfully Submitted,

/s/ John E. Schmidtlein

John E. Schmidtlein (*Pro Hac Vice*)